

106TH CONGRESS  
1ST SESSION

# S. 631

To amend the Social Security Act to eliminate the time limitation on benefits for immunosuppressive drugs under the Medicare Program, to provide for continued entitlement for such drugs for certain individuals after Medicare benefits end, and to extend certain Medicare secondary payer requirements.

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## IN THE SENATE OF THE UNITED STATES

MARCH 16, 1999

Mr. DEWINE (for himself, Mr. BROWNBACK, Mr. BINGAMAN, Mr. INOUE, Mr. LEVIN, Mr. HOLLINGS, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend the Social Security Act to eliminate the time limitation on benefits for immunosuppressive drugs under the Medicare Program, to provide for continued entitlement for such drugs for certain individuals after Medicare benefits end, and to extend certain Medicare secondary payer requirements.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Immunosuppressive  
5 Drugs Coverage Act of 1999”.

1 **SEC. 2. ELIMINATION OF TIME LIMITATION ON MEDICARE**  
 2 **BENEFITS FOR IMMUNOSUPPRESSIVE**  
 3 **DRUGS.**

4 (a) IN GENERAL.—Section 1861(s)(2)(J) of the So-  
 5 cial Security Act (42 U.S.C. 1395x(s)(2)(J)) is amended  
 6 by striking “, but only” and all that follows through the  
 7 semicolon at the end thereof.

8 (b) EFFECTIVE DATE.—The amendment made by  
 9 subsection (a) shall apply to drugs furnished on or after  
 10 the date of the enactment of this Act.

11 **SEC. 3. CONTINUED ENTITLEMENT FOR IMMUNO-**  
 12 **SUPPRESSIVE DRUGS FOR CERTAIN INDIVID-**  
 13 **UALS AFTER MEDICARE BENEFITS END.**

14 (a) IN GENERAL.—Section 226A(b)(2) of the Social  
 15 Security Act (42 U.S.C. 426–1(b)(2)) is amended by in-  
 16 serting “(except for the provision of immunosuppressive  
 17 drugs pursuant to section 1861(s)(2)(J))” after “shall  
 18 end”.

19 (b) EFFECTIVE DATE.—The amendment made by  
 20 subsection (a) shall apply to drugs furnished on or after  
 21 the date of the enactment of this Act.

22 **SEC. 4. EXTENSION OF CERTAIN SECONDARY PAYER RE-**  
 23 **QUIREMENTS.**

24 Section 1862(b)(1)(C) of the Social Security Act (42  
 25 U.S.C. 1395y(b)(1)(C), is amended by adding at the end  
 26 the following: “With regard to immunosuppressive drugs

1 furnished on or after the date of enactment of the Im-  
2 munosuppressive Drugs Coverage Act of 1999, this sub-  
3 paragraph shall be applied without regard to any time lim-  
4 itation.”.

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